

# Congress of the United States

Washington, DC 20515

January 24, 2024

The Honorable Michael Regan  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

The Honorable Thomas Vilsack  
Secretary  
U.S. Department of Agriculture  
Jamie L. Whitten Building  
1400 Independence Avenue, SW  
Washington DC, 20250

The Honorable Deb Haaland  
Secretary  
Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

The Honorable Mandy Cohen  
Director  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA 30333

Dear Administrator Regan, Secretary Haaland, Secretary Vilsack, and Director Cohen,

We appreciate the efforts your departments and agencies are making to ramp up collaboration to mitigate the negative impacts of wildfire smoke and increase active management. These commitments, as stated in the recent Memorandum of Understanding (MOU) between the Environmental Protection Agency (EPA), the Department of the Interior, Department of Agriculture, and the Centers for Disease Control and Prevention, could go far to protect communities and lower the risk of catastrophic fire.

We strongly encourage the signatories of the MOU to make the most of this opportunity, incorporate robust input from affected stakeholders, and move forward with urgency to enable the expanded use of prescribed fire.

Our constituents and communities have been living with smoke-filled summers that harm vulnerable populations, degrade the enjoyment of the outdoors, and weaken the economic vitality of communities that support outdoor recreation industries. Prescribed fire is a proven method, practiced by many Tribes for millennia, to improve ecological condition of the land and reduce risk of catastrophic wildfire. This also entails reducing the associated smoke from the megafires all too often impacting our communities. Given the significant harms that wildfire smoke alone causes, the MOU prompts your agencies to take a fresh look and activate new and improved efforts to allow for prescribed fire, both to mitigate wildfire risk and protect public health. Prescribed fires cause a small amount of smoke at a predictable time and in a more controlled manner, which is far preferable to the large and unpredictable smoke produced by catastrophic wildfires.

Through the MOU, your agencies “commit to urgent action to reduce the risk of severe wildfires and dangerous smoke,” and much of the document focuses on the benefits of prescribed fire. Therefore, we ask that all the relevant agencies come to the table to break through the challenges that have previously prevented the sufficient use of prescribed fire. Namely, we ask that the EPA work to provide a clear path to allow the use of prescribed fires while recognizing the importance of state ambient PM2.5 National Ambient Air Quality Standards (NAAQS) compliance. Recent years have proven that the existing Exceptional Events mechanism has not sufficiently provided states a pathway to permit prescribed burns at the pace and scale needed. In fact, according to a March 2023 Government Accountability Office report on wildfire smoke, “land management agency officials and one stakeholder said that state and local agencies may not use the provision because exceptional event demonstrations are technically complicated and resource intensive.” We have heard the same from our constituents and ask the agencies to articulate a more effective pathway forward to continue and scale these activities to protect communities from catastrophic wildfire.

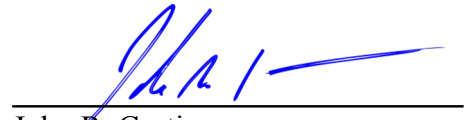
As you work to better align state, local, Tribal, and federal smoke management programs, we ask that you consider the guidance offered by the recent nonpartisan Wildland Fire Mitigation and Management Commission. The Commission stated that agencies and state, Tribal, and local governments should work together to ensure that air quality, public health, and land management programs work toward minimizing impacts of smoke to human health and to ensure communities and individuals are better prepared for anticipated smoke from all forms of wildland fire. Furthermore, the Commission notes that the EPA, the Department of the Interior, and the U.S. Department of Agriculture must work together to expeditiously evaluate current federal regulations and guidance around the treatment of smoke from wildland fire in air quality management programs with the intent of ensuring the programs can accommodate increased use of beneficial fire. The MOU provides an important first step in improving coordination, but further action and attention are critically needed commensurate with the threats our communities are facing.

Thank you in advance for your attention to this matter and the critical role your departments and agencies play in supporting the requisite sound land management and clean air for thriving communities.

Sincerely,



Kim Schrier, M.D.  
Member of Congress



John R. Curtis  
Member of Congress



Josh Harder  
Member of Congress



David G. Valadao  
Member of Congress



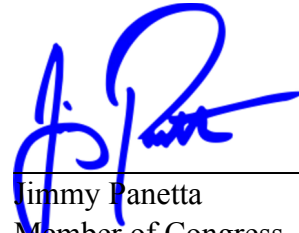
Val Hoyle  
Member of Congress



Jared Huffman  
Member of Congress



Betty McCollum  
Member of Congress



Jimmy Panetta  
Member of Congress



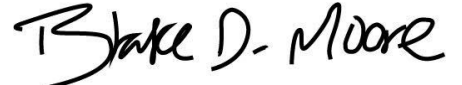
Andrea Salinas  
Member of Congress



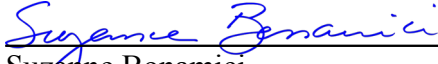
Mike Thompson  
Member of Congress



Scott H. Peters  
Member of Congress



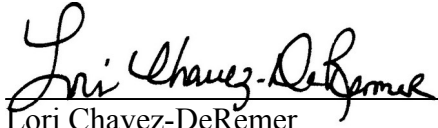
Blake D. Moore  
Member of Congress



Suzanne Bonamici  
Member of Congress



Jim Costa  
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Lori Chavez-DeRemer  
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